

Keith Harris, Esq. (KH-3162)
THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE SEPTEMBER 11 LITIGATION : 21 MC 97 (AKH)
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THIS DOCUMENT APPLIES TO ALL CASES :
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**DECLARATION OF KEITH HARRIS, ESQ. IN
OPPOSITION TO DEFENDANTS USAIRWAYS, INC.'S, US AIRWAYS
GROUP, INC.'S, COLGAN AIR, INC.'S AND CONTINENTAL AIRLINES,
INC.'S RESPECTIVE MOTIONS FOR SUMMARY JUDGMENT WITH
RESPECT TO PANYNJ CROSS-CLAIM PLAINTIFFS FLIGHT 175 CLAIMS
ASSERTED AGAINST THEM AND PURSUANT TO FED. R. CIV. PRO. 56(f)**

KEITH HARRIS, pursuant to 28 U.S.C. § 1746, declares under the penalties of perjury under the laws of the United States that the following is true and correct:

1. I am a member of the Bar of this Court and am Chief of the Commercial Litigation Division in the Office of Milton H. Pachter Esq., the General Attorney and Attorney of Record for the Cross-Claim Plaintiff, The Port Authority of New York and New Jersey ("PANYNJ"), in the above-captioned litigation. I submit this declaration in opposition to US Airways, Inc., US Airways Group, Inc.'s, Colgan Air, Inc.'s, and Continental Airlines, Inc.'s respective motions for summary judgment with respect to Flight 175 claims (together, the "Moving Defendants' motions") and pursuant to Fed. R. Civ. Pro. 56(f).

2. For purposes of judicial economy, I hereby incorporate by reference the following in opposition to the Moving Defendants' motions (together, the "Opposition Papers"):

- a. Declaration of Richard A. Williamson In Opposition to Defendants US Airways, Inc.'s US Airways Group, Inc.'s, Colgan Air, Inc.'s and Continental Airlines, Inc.'s Respective Motions for Summary Judgment With Respect to WTCP Cross-Claim Plaintiffs' Flight 175 Claims Against Them and Pursuant to Fed. R. Civ. Pro. 56(f) and the exhibits annexed thereto;
- b. WTCP Cross-Claim Plaintiffs' Counter Statement Pursuant to Local Rule 56.1 In Opposition To Defendants' US Airways, Inc.'s, US Airways Group, Inc.'s and Colgan Air, Inc.'s Motions For Summary Judgment With Respect To The WTCP Cross-Claim Plaintiffs' Flight 175 Claims Against Them; and
- c. WTCP and PANYNJ Cross-Claim Plaintiffs' Joint Memorandum of Law in Opposition to Defendants US Airways, Inc.'s, US Airways Group, Inc.'s, Colgan Air, Inc.'s and Continental Airlines, Inc.'s Motions for Summary Judgment With Respect to the WTCP and PANYNJ Cross-Claim Plaintiffs' Flight 175 Claims Against Them.

3. For the reasons set forth above and those set forth in the Opposition Papers, the PANYNJ Cross-claim Plaintiff respectfully requests that this Court deny the Moving Defendants' motions in their entirety.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Dated: April 27, 2007

KEITH E. HARRIS (KEH-3162)